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COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Sixth session

SUMMARY RECORD OF THE 11th MEETING

Held at the Palais des Nations, Geneva
on Monday, 2 December 1991, at 10 a.m.

Chairman: Mr. ALSTON

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The meeting was called to order at 10.10 a.m.

CONSIDERATION OF REPORTS (agenda item 7) (continued)

(a) REPORTS SUBMITTED BY STATES PARTIES IN ACCORDANCE WITH ARTICLES 16 AND 17 OF THE COVENANT

Syrian Arab Republic (E/1990/6/Add.1) (continued)

1. The CHAIRMAN invited Mr. Kouznetsov to introduce the Committee's final observations on the report of the Syrian Arab Republic (E/1990/6/Add.1).

2. Mr. KOUZNETSOV summarized the discussion on the report of the Syrian Arab Republic, in which 12 members of the Committee had participated.

3. The Committee was of the view that the representative of Syria could not justifiably claim late receipt of the list of issues (E/C.12/WG/1991/CRP.4), which the pre-sessional working group had prepared in September 1991.

4. Members of the Committee had shown particular interest in the structure of the Baath party, agrarian reform, housebuilding policy, trade unions and the right to strike, as well as in legislation on marriage and divorce. In the course of the discussion, it had been stated that the written information and the representative of Syria's oral replies to questions raised by members of the Committee perhaps did not fully reflect the actual situation in Syria regarding implementation of the Covenant on Economic, Social and Cultural Rights. Some members of the Committee had pointed out that no reply had been given to question 6 on the list of issues prepared by the pre-sessional working group, which concerned the rights of non-nationals. Replies to a number of other questions had been incomplete and additional information had been requested. The Committee had noted with satisfaction the assurances given by the representative of Syria that it would be sent the additional legal information that had been requested on receipt of its report on its sixth session.

5. Mrs. JIMENEZ BUTRAGUENO felt that the word "perhaps" should be deleted from the phrase "perhaps did not fully reflect the actual situation ...". She also wished mention to be made of the Committee's interest in the rights of women in regard not only to divorce but also to the family (economic status of women in marriage, children), and more generally in the status of women in all fields.

6. Mr. KOUZNETZOV took note of the comments by Mrs. Jimenez Butragueno and said he would incorporate them in the final observations he would transmit to the secretariat.

7. The CHAIRMAN said that the Committee had completed its consideration of, and adopted its final conclusions on, the periodic report of the Syrian Arab Republic.

Finland (E/1990/7/Add.1)

8. At the invitation of the Chairman, Mrs. Ketokoski and Mrs. Pohjanvirta took places at the Committee table.

9. Mrs. KETOKOSKI (Finland) said that the Finnish Ministry for Foreign Affairs had recently, in July 1991, acquired a new and expanded human rights section, which was to be responsible for improving the system of reporting to the Committee. The second periodic report of Finland, in the form in which it was submitted (E/1990/7/Add.1), would undoubtedly create difficulties for members of the Committee; however, she was sure that the experience gained in the course of its presentation and in the course of the ensuing dialogue with the Committee, would ensure that the next report was more in line with expectations. Copies in English of four supplementary documents, some of which were intended for other bodies besides the Committee, had been distributed to members of the Committee for information; they related to education, cultural affairs and national minorities in Finland.

10. Finland was a "welfare state" comparable to other Nordic States; it had a population of 5 million and was a very large country. The two national languages - Finnish and Swedish - were theoretically equal in status, but since only 6 per cent of Finns had Swedish as their mother tongue, special efforts needed to be made to protect that equality. Finland had a number of "old minorities", including Saamis (6,000 persons), Romanies (6,000 persons), Jews (1,200 persons) and Tatars (1,000 persons), who were either natives or long-established settlers. Finland was traditionally a country of emigration, but was now becoming one of immigration: it currently harboured some 20,000 foreigners, including a growing number of refugees. It was therefore having to adapt to what was for it a very unaccustomed multicultural situation.

11. With regard to the status of women, Finland was well on the way to achieving equality of opportunity: indeed, the percentage of women in its parliament was the highest in the world (38 per cent). The debate engendered by the adoption of the United Nations Convention on the Elimination of All Forms of Discrimination against Women had led to a considerable shift in public opinions: traditionally, the Finns had tended to take the view that the situation was satisfactory in regard both to women and to minorities, but that attitude was changing. Women now constituted the majority of the workforce in the fields of education and culture. The Ministry of Education had launched a special plan to promote equality of opportunity between men and women. As a general rule, both men and women worked in Finland, and educational and cultural life had had to be adapted to that situation.

12. Because cultural diversity was becoming more marked - a fact which was both a challenge and a resource - Finland had realized the need to ensure that the transition from a monocultural to a multicultural situation went as easily and fruitfully as possible.

13. It was primarily within the United Nations context that Finland had contracted international human rights obligations. It had become a member of the European system of human rights protection only very recently, in 1990. Egalitarian principles were held in the highest regard in Finland, as in other Nordic countries, and they had served as a basis for the balanced development

of civil and political rights, on the one hand, and economic, social and cultural rights on the other. There was growing awareness of the fact that all human rights were interrelated, and governmental authorities and researchers were now focusing particularly on certain groups such as women, children and migrant workers, and especially on the marginalized.

14. The establishment in 1989, following the completion of Finland's second periodic report, of an Advisory Board for International Human Rights Affairs, the members of which were appointed by the Ministry for Foreign Affairs, should help to ensure the participation of researchers, non-governmental organizations and political parties in the debate on human rights. However, the second periodic report had not been submitted to that Advisory Board for comment.

15. Finland's ratification of international human rights instruments had prompted work to reform the Constitution, which dated from 1919 and, with the exception of the right to work, made no mention of economic, social or cultural rights. The official proposals of the constitutional reform committee were expected by the end of the year.

16. Finland was making every effort to publicize and promote human rights through special programmes, pilot projects, free publications, etc. UNESCO's conventions and recommendations in the human rights field had been published in Finnish. Increasing attention was being focused on the links between human rights at national level and human rights in the global context, as was shown by the recent debate on development assistance, aid programmes and non-governmental organizations, and on the importance of economic, social and cultural rights in relations between rich and poor countries.

17. The United Nations, in an effort to promote a more effective human rights reporting system, had recently issued a manual which Finland, bearing in mind the deficiencies in its own system, had found most useful. One such deficiency was the legalistic attitude of the Finnish administration, which tended to take the view that once domestic legislation had been brought in line with international instruments ratified by Finland, all was well. To increase awareness of the fact that Finland's obligations under the International Covenant on Economic, Social and Cultural Rights were also related to the actual realization of those rights, a training seminar for government officials involved in human rights reporting would be held in March 1992.

18. In view of the changes and economic problems currently affecting the rich countries, there was no room for complacency or the slackening of concern for the implementation of economic, social and cultural rights. The Nordic model seemed to have yielded relatively good results in that regard for many, but not for all. Finland realized that it must now concentrate its efforts on those groups which had not hitherto been at the forefront of its attention.

19. Mrs. POHJANVIRTA (Finland) said she would like to provide the Committee with additional information relating to educational and cultural matters.

20. Since Finland's second periodic report dated from 1989, the Ministry of Education had provided the Committee with an additional information document

outlining the reforms made in the Finnish education system since that date. The Government had set itself three objectives: first, to make education more accessible; secondly, to raise educational standards; and thirdly, to ensure greater equality of educational opportunity between regions and population groups. At the same time, educational policy had had to take account of the rapid changes that had occurred in society and in the structure of industry.

21. She gave a general outline of the Finnish educational system: general education (provided in comprehensive schools and upper secondary schools), vocational training, higher education, adult education, current experiments for the benefit of young people, special measures for the Saami people, and questions of financing and financial aid. Comprehensive schools were attended by pupils of between 7 and 17 years of age and over a period of 9 years, during which education - though not school attendance - was compulsory. Parents had the options of sending their children to schools which were not officially recognized and received no State subsidy, or of educating their children at home, but virtually all children attended the comprehensives, in which six years of primary schooling was followed by three years of study at secondary level.

22. Comprehensive schools had initially divided pupils into different ability bands for most of the difficult subjects (mathematics, languages), but now followed the system of teaching by small groups. After leaving comprehensive school, pupils could continue their studies on the basis of the results they had achieved and with no distinction as to sex, mother tongue, parents' economic status or place of residence. Comprehensive schooling was free of charge, as were textbooks and school meals, and even transport and accommodation if necessary.

23. In 1990, 54 per cent of comprehensive school leavers had gone on to upper secondary schools and the remaining 40 per cent to vocational training institutions. The upper secondary schools provided three years of general non-compulsory education culminating in an examination set by an independent examinations board.

24. The vocational training system had been reformed during the 1980s. The first of the three objectives of the reforms had been to enlarge the previously very limited range of qualifications offered. Vocational training remained linked with general education, which took up one third of teaching time. As a result, the duration of courses had been extended and now ranged from a minimum of two years up to - most usually - three and a half years, or sometimes five years.

25. The second objective of the reforms had been to facilitate access to vocational training institutions and universities, and the third had been to enable all those who had received a general education to continue their studies either in a vocational training institution or at university: in the past, only holders of a secondary school diploma had been able to enter a university. Today, students from vocational training schools and institutions could also go to university. However, competition was intense so that, while 70 per cent of students of an age group were now eligible for university, only 25 per cent were successful in the entrance examination. To cope with the increase in the number of students wanting to continue in higher education,

new universities had been created. They were all publicly run, since the small number of private universities had come under State control owing to financial difficulties. University education, like education at vocational training schools and secondary schools, was free of charge, as were meals and sometimes accommodation and transport. Every year, universities admitted between 15,000 and 16,000 new students. Standards of admission differed depending on the university. There was a high drop-out rate which increased with the number of years of study. To combat that trend, a new approach had been adopted, and both universities and higher education institutes were now required to see to it that students obtained their diplomas.

26. Turning to adult education, she said that further education and vocational training for adults were essential. An act had been passed in January 1991 making it easier for adults to leave their jobs to enrol in study courses.

27. In May 1990, the Council of State had submitted to Parliament a report on educational policy, which had been extensively debated. Following that debate, experimental programmes had been developed with a view to enabling young pupils to make a choice of secondary education subjects and subjects related to vocational training at a very early stage. Other experimental programmes were being carried out in higher level vocational training institutions.

28. The Finnish educational system emphasized the internationalization of teaching. Many Finnish students spent a year in the United States, and American teachers came to Finland. Helsinki had an English school, a Russian school, a French school, a German school and an international school. In other towns too, primary and secondary schools and vocational training schools offered teaching in languages other than Swedish or Finnish. From spring 1993, students would be able to sit the international baccalaureate.

29. Over the past two decades there had been a radical change of attitude towards the Saamis. Since 1983, Saamis had had access to general education in their mother tongue, and since autumn 1991 they had had the option of choosing Saami as their mother tongue at secondary level. It was still difficult to obtain school textbooks in Saami, but considerable efforts were being made in that regard.

30. Education accounted for 18.5 per cent of public spending and thus came second in importance in the budget after social affairs and health. There were plans to give local authorities more freedom to choose which sectors should be given priority.

31. The CHAIRMAN thanked the representatives of Finland for their information and invited members of the Committee having questions to put them.

32. Mr. NENEMAN said that Finland was a model country where social matters were concerned, and it was thus difficult to criticize it. However, the Finnish report (E/1990/7/Add.1) was somewhat difficult to read and did not provide enough facts and examples. For instance, he would like to know in what proportion the number of pupils and students had risen over the past 10 years.

33. In addition, the report contained little information about cultural life. He would like to know what steps had been taken to encourage the population to take part in the cultural life of the country and whether there were cultural programmes designed for older people. He also wondered what criteria governed the import of television programmes or films, and whether the main factor taken into account was programmes' cost or their quality.

34. Mr. BADAWI said he would like more detailed information on immigration, and wondered whether immigration occasioned any problems with respect to education.

35. In view of the statement that education, though not school attendance, was compulsory, he wondered how it was possible to ascertain whether a child had received a proper education if his parents did not send him to school. He would also like to know the duration of courses of study in vocational training institutes.

36. Referring to the law on freedom of religion, he asked what was the content of the course on the history of religions which, according to the report, was taken by pupils who were excused religious instruction.

37. Mr. WIMER ZAMBRANO expressed great surprise that, for financial reasons, private universities had disappeared in Finland at a time when the worldwide trend was towards the disappearance of public institutions. He wondered how a private university could be made public.

38. Mrs. BONDAN-DANDAN requested clarification of the education of the handicapped. According to the information given, steps had been taken to integrate handicapped people and other special groups into the general education system. She asked what those steps were, and what was meant by "special groups".

39. Concerning cultural life, she noted that radio and television programmes were broadcast by independent companies, without any government intervention. In the circumstances, how was it possible to exercise the necessary control, due regard being had to freedom of expression, over the broadcasting of sexually explicit programmes.

40. It would appear that in Finland copyright applied only to musical works by Finnish composers and authors. She wondered what protection there was for the work of foreign authors and composers.

41. Mr. MRACHKOV noted that, although States often tended to embellish the situation in their reports, that was not the case with Finland. There the real situation seemed even more in conformity with the provisions of the Covenant than the report indicated.

42. He asked whether private persons were able to invoke the provisions of the Covenant before the courts, and if so, whether such a case had arisen. If not, he would like to know why.

43. Concerning education in Saami, he asked what was the special status of that language and what training was given to instructors and teachers who taught in it. Was there any special training institute for them?

44. Mr. MUTERAHEJURU welcomed the statements by the representatives of Finland, which had helped to remedy certain omissions in their country's report. Regarding their mention of the recent establishment of an Advisory Board for International Human Rights Affairs, he wondered what were the Board's responsibilities, membership and activities, and whether minority groups, disabled persons and non-nationals were able to take part in its work? Observing that the Finnish authorities took pains to provide special training for public officials concerning respect for human rights, he asked whether teachers and students had also been made aware of human rights issues, and whether human rights teaching was included in school curricula. Did human rights have a place in the country's culture, and if so, what was it? For many countries, respect for human rights had clearly become one of the prerequisites for participation in international cooperation projects: was Finland among such countries, and if so, how far did human rights factors affect firstly its relations with other States, especially those to whom it provided government aid, and secondly the part it played in international cooperation?

45. Mr. RATTRAY said he had been struck by the extensive opportunities for higher education in Finland. However, he had understood from the statement that there were 1.4 places per applicant in vocational training schools and universities and that 70 per cent of all those who successfully completed comprehensive school were in theory able to go on to university, but that only 25 per cent of them actually did so: what were the reasons for such a large discrepancy? In addition, why was the rate of student drop-outs so high? It would be helpful to have a breakdown of the figures for such drop-outs by sex and ethnic group, and especially by minority group. He asked what were the reasons for the reported difficulties in ensuring equality of access to education between regions and what steps the Government had taken to reduce or eliminate those difficulties. It seemed that equality of opportunity had not been achieved either, since apprenticeships for a number of trades were still the prerogative of men, and in 1989 girls had accounted only for 6 per cent of students of mechanical engineering or metallurgy, as compared to 96 per cent of students of home and industrial economics. That trend appeared to be increasing: was it a reflection of choice or of cultural considerations? Lastly, with reference to its intention to allow local authorities more latitude in dividing up their budgets between education and, for instance, social services, he wondered how the Government meant to ensure that enjoyment of the right to education continued unchanged and that there were no cuts in funding for education?

46. Mrs. JIMENEZ BUTRAGUEÑO said that in her view there could be no doubt that Finland was fully implementing the provisions of the Covenant in almost every respect. A report that had been somewhat fuller in the first place would have highlighted the successes achieved more clearly. The oral comments had not covered all the questions in the list of issues, notably those concerning measures to enable graduates of vocational training schools to secure employment (E/CN.12/WG/1991/CRP.5, question 7) and the percentage of vocational school graduates who were unemployed (question 8). In Finland, which had apparently become a country of immigration, did new immigrants enjoy access to education on the same basis as nationals (question 9)?

47. The idea of allowing children to study at home was an interesting one; concerning it, she would like to know who was responsible for educating the children in cases where both parents worked. Had the home-study option been introduced to offset a shortage of school places, and was such study common?

48. With regard to adult education, she asked whether adults had access to, for example, literacy training, vocational refresher courses or retraining programmes, and higher education. Did they have to meet the same requirements as young people for entry to university, or were conditions less strict? She was concerned at the shortage of places in higher education establishments: was the criterion for admission school results, aptitude, or motivation? Were some leading institutions or faculties, such as medical schools, more difficult to get into than others? It would also be interesting to know the absolute and relative numbers of women and Saamis in higher education.

49. Did retired people in Finland enjoy the right to education, did they engage in teaching, if only on a voluntary basis, and were they called upon to perform certain services, such as marking examinations?

50. Concerning implementation of article 15 regarding the right to take part in cultural life, she would like to know whether there were special cultural activities for elderly people in Finland, and whether the elderly could obtain reduced-price tickets for cultural events and entertainments open to the general public. She also wondered whether the elderly could form their own associations, and whether political parties or members of the Finnish Parliament had undertaken to defend their interests.

51. Mrs. IDER also regretted that the Government of Finland had not included in its written report the very extensive information that its representatives had given the Committee at the current meeting: many countries, including Mongolia, would have found in it much food for thought and numerous examples to follow. The Government of Finland should bear in mind how useful its reports could be in the future if they were more extensive.

52. Clearly, Finland was constantly endeavouring to update its policies and activities in the field of education, and on that score it was to be congratulated. However, she was surprised that in Finland private schools were not entitled to award diplomas and received no State subsidy: was such a distinction between private and public education really compatible with the Covenant, and how was it to be explained? Had any efforts been made to determine the relative advantages of the two types of education with a view to their coexistence at either primary, secondary or higher level? Had full State financing of higher education been found the most effective system, and had the Government already given, or did it plan to give financial assistance to private establishments? Lastly, who decided on school curricula and on the curricula of universities and institutions - the universities themselves, or tripartite commissions comprising teachers, students and Government representatives? Were the curricula at all levels of education the same throughout the country?

53. Mr. ALVAREZ VITA suggested that the texts of the oral statements made by the representatives of Finland should be distributed to the Committee as information papers.

54. In 1984, Finland had stated that the country's population included 6,000 Gypsies: what steps had the Government taken since then to foster the cultural life of Gypsies and the teaching of Romany? How many Gypsies had gone to university? What were the problems encountered by the Gypsy minority in adapting to the modern world and to their life in Finland?

55. The CHAIRMAN, speaking in his personal capacity, asked who were the members and what would be the future role of the Advisory Board for International Human Rights Affairs set up in 1989. What approach did the Government of Finland plan to follow, and would the Board participate in compiling subsequent reports?

56. Mr. FOFANA said that the supplementary oral information from the representatives of Finland showed that the country was in the forefront of protection of the rights provided for under articles 13 to 15 of the Covenant. He would like to know whether Finnish students followed university courses abroad and, if so, whether they received grants for that purpose. He would also like information on any measures taken to promote culture, especially through museums, libraries, theatres and cinemas, and on the situation in regard to scientific research.

57. Mr. SPARSIS said that in many countries both employers and unions complained that vocational training establishments neither produced sufficiently qualified workers nor tailored their courses to industry's real needs. In Finland, did representatives of unions and employers take part in formulating vocational training policy and designing training programmes? As measures to maintain proper training standards, were vocational training establishments governed by official regulations, and did they set aptitude tests and award certificates?

58. Mr. KONATE said he was satisfied with the information given by the representatives of Finland. It was clear that the country was making considerable efforts in the field of education, but what was the situation regarding the drug problem? Had Finland, like other Nordic countries, adopted a very liberal position on the matter, and what steps had it taken to combat the drugs scourge, which so particularly affected young people?

59. Mr. MARCHAN ROMERO noted that Finland had to its credit very considerable progress in the field of education, especially the development and countrywide provision of vocational training. Would the intended reforms of vocational training apply only to such training at secondary level or did the Government mean to set up a system of tertiary level distance education to improve technical skills in certain sectors of industry? Alternatively, was it planned to extend higher level vocational training to the less developed regions of the country?

60. The CHAIRMAN stated that the representatives of Finland would reply at the next meeting to the questions raised by members of the Committee.

Methods of work

61. The CHAIRMAN summarized members' conclusions on the Committee's future methods of work: first, the Committee would ask the secretariat to prepare a

detailed note for sending to representatives of Member States so that they were fully aware what those methods of work were and what was expected of them with regard to the submission of reports. Secondly, it had been decided that the pre-sessional working group would in future meet in June or July, and not in September, in order to give Governments full time to prepare their replies to written questions. Thirdly, it had been agreed that, beginning with the next report in line, that of Sweden (E/1990/7/Add.2), the Committee would, both for reports and for members' questions and comments, proceed article by article. Fourthly, in regard to the Committee's concluding observations, it had been agreed, with the main aims of securing the participation of experts with a particular interest in the case under consideration and eliciting the general feeling in the Committee, that one of the members would be asked to prepare preliminary draft observations and then seek the opinions of the other experts as to how they could be improved or expanded. It was not envisaged that representatives of States parties would participate in the discussion of the Committee's final observations on their countries' reports, but they would be able to be present. The final observations would, in each case, be communicated to the representatives of States parties as soon as they were adopted. The Committee could work on its observations on more than one report at a time, and it was not proposed to draw up any schedule in that connection.

62. Mr. SPARSIS said that he would like to submit another proposal concerning the Committee's methods of work.

63. The CHAIRMAN took note of that statement; for lack of time, the Committee would have to consider Mr. Sparsis' proposal later.

Sweden (E/1990/7/Add.2)

64. At the invitation of the Chairman, Mr. Danielsson and Mr. Eriksson took places at the Committee table.

65. Mr. DANIELSSON (Sweden) said that, in introducing the second periodic report of Sweden (E/1990/7/Add.2), he would also comment on the issues raised by the pre-sessional working group (E/C.12/WG/1991/CRP.6), thus bringing the report up to date. He would divide his introduction into three parts, so that members of the Committee could ask their questions at the end of each part; he would then reply to all the questions together.

66. In response to the working group's first request, he gave a brief description of Sweden: his country, although Europe's fourth largest in terms of area, had only 8.6 million inhabitants, almost 85 per cent of whom lived in urban zones. Until the Second World War the population had been ethnically fairly homogeneous; since the War large groups of immigrants - Finns, Yugoslavs and Iranians - had come to join the Saami, Finnish and Gypsy minorities already in the country.

67. Although Sweden was a secular society, some 95 per cent of the population were members of the Lutheran Church; Lutheranism was the State religion. The literacy rate for Swedish adults was estimated at 100 per cent.

68. Sweden was today an industrialized country able to offer its population a high standard of living: average per capita income in 1989 had

been 136,000 Swedish kronor for men and 89,700 Skr for women. However, it had been affected by the recent economic recession, which had led to rises in unemployment and in the rate of inflation. With industrialization, Sweden had begun to develop a welfare system, and in particular a system of social security.

69. Sweden was a constitutional monarchy with a long tradition as a parliamentary democracy. Its legal system showed the influence both of common law and of Roman law, but principally of the latter. There had been legal protection of the individual against the State since the mid-fourteenth century. Today, fundamental rights and freedoms, including social and cultural rights, were enshrined in chapter II of the Constitution, which also protected freedom of the press, and, following a recent enactment, freedom of expression.

70. Justice was administered by the courts, and matters concerning public administration were dealt with by administrative courts and authorities. All those bodies were required, by the Constitution, to respect the equality of all persons under the law. Although they all had to some degree jurisdiction affecting human rights, there was no constitutional court in Sweden, nor was there any other authority empowered to adjudicate solely on human rights as defined in international instruments. Although Sweden fully complied with the international obligations it had assumed under such instruments, the latter were not automatically incorporated into domestic law. However, mention should be made of three supervisory bodies which formed part of the Swedish system of ombudsmen: the Office of the Parliamentary Ombudsman, which could both initiate investigations on its own account and examine complaints from individuals; the Office of the Equal Opportunities Ombudsman, responsible for ensuring compliance with the Act on Equality Between Men and Women at Work; and the Ombudsman against Ethnic Discrimination, whose very wide powers encompassed all spheres of society except private life, with special attention being paid to ethnic discrimination in the labour market.

71. To become part of Swedish law, international instruments, including human rights instruments, were, unless extant domestic legislation was sufficient to fulfil the obligations undertaken by Sweden, converted into internal laws or administrative regulations in accordance with the normal procedure. All new and existing domestic legislation was carefully reviewed for confomity with international instruments ratified by Sweden. The Legal Department of the Ministry of Foreign Affairs was responsible for examining bills, at the drafting stage, and the Law Council then considered their constitutionality. In accordance with practice recently developed by the Supreme Court, domestic law was to be interpreted and applied in the light of Sweden's international obligations under international human rights instruments.

72. A core document providing general information on the Swedish system for ensuring protection of human rights was in preparation. It was being compiled in response to a suggestion by the chairpersons of human rights treaty bodies and would be distributed to all those bodies, including the Committee. The document would include the information he had just given.

73. Concerning the pre-sessional working group's request for further information on the measures taken to implement the right of everyone to

education, he said that Parliament had amended the 1985 School Act so that it set out the fundamental principles and aims of the public school system. The Act now required that all young people of school age should have equal access to education irrespective of sex, place of residence, social status or economic situation; that education should be conducted in accordance with fundamental democratic values and respect for the dignity of all; and that education should be of the same quality throughout the country and whatever the pupil's race or ethnic origin. Those provisions aimed to foster understanding, tolerance and friendship between the various groups which made up the population. To illustrate that point he read an extract from the Compulsory School Curriculum.

74. The texts of human rights instruments, including the Convention on the Rights of the Child, had been destributed in Swedish to public and authorities alike, and to schools. Law studies also included courses on human rights and fundamental freedoms.

75. Mrs. BONDAN-DANDAN expressed surprise at the considerable difference between the per capita incomes of women and men. She would like to know the reasons for that difference, whether it was being investigated, and whether steps had been taken to remedy it.

76. Mr. RATTRAY noted that, while human rights and fundamental freedoms were enshrined in chapter II of the Swedish Constitution, that human rights covenants were not automatically incorporated into domestic law, but had first to be converted into individual pieces of legislation. He asked whether chapter II of the Constitution formed part of Swedish domestic law and whether citizens could invoke it before a court.

77. Mr. MUTERAHEJURU asked for clarification on the exact status of the Lutheran religion, which, as he understood it, was a State religion. He wondered about the consequences of that situation for implementation of the provisions of the Covenant.

78. Mr. MRACHKOV noted that, since the Swedish legal system was dualist, ratification alone was not enough to make international treaties ratified by Sweden an integral part of Swedish domestic law. The representative of Sweden had nevertheless stated that interpretation of domestic law was based on such treaties. Did not the jurisprudence of the Supreme Court amount to an admission that international treaties applied? That would seem to imply that Sweden's dualist system was actually a combined system, with some monistic aspects. In fact, he would like to know whether the Swedish Government was not contemplating abandoning its dualist approach, in view of the increasing trend in the modern world towards monistic systems.

79. Mr. FOFANA said it was his understanding that although legal and administrative courts existed in Sweden, there was no constitutional court. However, reference had been made to a Law Council which decided on the constitutionality of new laws. He would like to know the precise status of that Council.

80. Mr. DANIELSSON took note of the questions raised by members of the Committee. Resuming his introduction of Sweden's second periodic report

(E/1990/7/Add.2), he described changes in the school system since the report had been submitted in 1989 and replied to questions contained in part II of the pre-sessional working group's list of issues (E/C.12/WG/1991/CRP.6).

81. Paragraph 9 of the report referred to new principles governing responsibility and decision-making in regard to schools. Those new principles entailed a transition from management on the basis of rules to management on the basis of objectives. It was now the responsibility of Parliament and the Government to guarantee equal access to education throughout the country, whereas educational activities as such were the responsibility of municipalities and county councils. The Government fulfilled its obligations through the National Agency for Education, and a new institute had been set up to deal with matters concerning the disabled within the school system.

82. The reforms also applied to the working conditions of teachers, in which regard the responsibilities of local authorities as employers had been underlined. The previous multitude of detailed regulations had been reduced to a few provisions essential to preserving the quality of teaching. Today, every municipality was required to employ teachers who had undergone the necessary training and was entitled to apply to the State for subsidies related to the size and density of its population.

83. As indicated in paragraphs 3-5 of the report, steps had been taken in implementation of the 1985 School Act to provide for adult education and for elementary instruction in the Swedish language for immigrants.

84. Compulsory school attendance for children from 7 to 16 years of age corresponded to the right to receive education within the framework of the public school system; in practice, virtually 100 per cent of the children in Sweden within that age group attended State schools, information which answered the pre-sessional working group's sixth question. With regard to the group's ninth question, on the percentage of the population which had actually completed primary education, he referred the Committee to the statistics he had just distributed. Since primary education had been altered in the 1960s to last nine years instead of seven and include the first part of what was usually considered secondary education, virtually all children had completed the primary course. To answer the group's seventh question, the proportion of Sweden's total population with less than nine years' schooling had been 34 per cent in 1980, but had fallen to 21 per cent by 1987 and, given the extension of the period of compulsory schooling to nine years, there was reason to believe that the downward trend was continuing.

85. In reply to the group's eleventh question, on the breakdown of school enrolment by sex, he said that both in the compulsory nine-year schools and in secondary schools, numbers of female and male pupils were approximately equal, even allowing for the imbalances in certain courses at secondary level. Women accounted for 69 per cent of the teachers in primary schools and 44 per cent of those in secondary schools. In all, women comprised 63 per cent of teaching staff.

86. Since the submission of Sweden's second periodic report, the requirement that compulsory schooling must begin at the age of seven had been relaxed, and children could now begin school at the age of six.

87. To supplement the information given in paragraphs 11 to 13 of the second periodic report, and in reply to the pre-sessional working group's fourteenth question, he said that Swedish law required mentally handicapped children who were incapable of attending ordinary primary schools to be enrolled in special schools. Physically handicapped children attended schools specially equipped to meet their needs. Schooling was compulsory for both those categories of children. The pupils in the mentally handicapped category numbered some 11,500, or 0.95 per cent of the total primary and secondary school enrolment. Physically handicapped children generally attended ordinary primary schools. The exceptions were children who were deaf or hard of hearing, especially if they were dependent on sign language; there were, however, special classes for hearing-impaired pupils in a number of ordinary primary schools. Children with particularly serious physical handicaps had to attend special schools; there were nine such schools, one of which was a centre for further research on visually-handicapped children and for the training of their teachers and parents. In 1990, pupils in special schools had numbered 684, and pupils in ordinary primary schools 881,523.

88. Since the Swedish Government was responsible for all the special schools for handicapped children, it met all the costs of pupils and of transporting them between their schools and their homes.

The meeting rose at 1 p.m.